

1776.

# PROCEEDINGS of CONVENTION.

This convention being informed, that in the constitution or form of government agreed to by the delegates of Virginia, a claim is made by them injurious to the inhabitants of this state, ORDERED, That the same be read, and the same was read as follows, to wit:

"The territories contained within the charters erecting the colonies of Maryland, Pennsylvania, North and South-Carolina, are hereby ceded, released, and for ever confirmed to the people of those colonies respectively, with all the rights of property, jurisdiction and government, and all other rights whatsoever, which might at any time hereafter have been claimed by Virginia, except the free navigation and use of the rivers Patowmack and Pocomoke, with the property of the Virginia shores or strands, bordering on either of the said rivers, and all improvements which have been or shall be made thereon. The western and northern extent of Virginia shall in all other respects stand as fixed by the charter of King James the first, in the year one thousand six hundred and nine, and by the public treaty of peace between the courts of Great-Britain and France in the year one thousand seven hundred and sixty-three; unless, by act of legislature, one or more territories shall hereafter be laid off, and governments established westward of the Allegany mountains. And no purchase of lands shall be made of the Indian natives, but on behalf of the public, by authority of the general assembly."

RESOLVED, That this convention will on to-morrow resolve itself into a committee of the whole, to take the same into consideration.

Convention adjourns till to-morrow morning 9 o'clock.

W E D N E S D A Y, October 30, 1776.

CONVENTION met. All members present as on yesterday, except Mr. Bowie and Mr. Hooe. The proceedings of yesterday were read. Mr. J. Smith and Mr. Marbury appeared in the house. Adjourned till 3 o'clock.

## P O S T M E R I D I E M.

Convention met. Mr. Carroll, Mr. Kent, Mr. Bishop, and Mr. Shriver, appeared in the house.

The convention, according to the order of the day, resolved itself into a committee of the whole, on that part of the constitution of Virginia, which was referred to their consideration; Mr. T. Wright in the chair. After some time spent therein, Mr. President resumed the chair, and Mr. Wright reported, that the committee had, according to order, taken the same into consideration, and had come to several resolutions thereon, which he read in his place and afterwards delivered in at the table, where the same were again twice read, amended, and agreed to as follow:

RESOLVED *unanimously*, That it is the opinion of this convention, that the state of Virginia hath not any right or title to any of the territory, bays, rivers, or waters, included in the charter granted by his majesty Charles the first, to Cæcilius Calvert, baron of Baltimore.

RESOLVED *unanimously*, That it is the opinion of this convention, that the sole and exclusive jurisdiction over the territory, bays, rivers and waters, included in the said charter, belongs to this state; and that the river Patowmack, and almost the whole of the river Pocomoke, being comprehended in the said charter, the sole and exclusive jurisdiction over the said river Patowmack, and also over such part of the river Pocomoke as is comprehended in the said charter, belongs to this state; and that the river Patowmack, and that part of Chesapeake bay which lies between the capes and the south boundary of this state, and so much thereof as is necessary to the navigation of the rivers Patowmack and Pocomoke, ought to be considered as a common highway, free for the people of both states, without being subject to any duty, burthens or charge, as hath been heretofore accustomed.

RESOLVED *unanimously*, That it is the opinion of this convention, that the very extensive claim of the state of Virginia to the back lands hath no foundation in justice, and that if the same or any like claim is admitted, the freedom of the smaller states, and the liberties of America, may be thereby greatly endangered; this convention being firmly persuaded, that if the dominion over those lands should be established by the blood and treasure of the United States, such lands ought to be considered as a common stock, to be parcelled out at proper times into convenient, free and independent governments.

Agreeable to the order of the day, the convention resolved itself into a committee of the whole, to consider further of the declaration of rights, and form of government for this state; Mr. T. Wright in the chair. After some time spent therein, Mr. President resumed the chair, and Mr. Wright reported, that the committee had, according to order, taken the same into consideration, and had come to several resolutions thereon, which they directed him to report, as the declaration of rights, but not having had time to go through the form of government, had directed him to move for leave to sit again.

RESOLVED, That this convention will on to-morrow resolve itself into a committee of the whole, to consider further of the form of government for this state.

Convention adjourns till to-morrow morning 9 o'clock.

T H U R S D A Y, October 31, 1776.

CONVENTION met. All members present as on yesterday. The proceedings of yesterday were read.

The convention took into consideration the report of the declaration of rights from the committee of the whole, which follows in these words, to wit:

## The DECLARATION of RIGHTS.

THE parliament of Great-Britain, by a declaratory act, having assumed a right to make laws to bind the colonies in all cases whatsoever, and in pursuance of such claim endeavoured by force of arms to subjugate the United Colonies to an unconditional submission to their will and power, and having at length constrained them to declare themselves independent states, and to assume government under the authority of the people, Therefore We, the delegates of Maryland, in free and full convention assembled, taking into our most serious consideration the best means of establishing a good constitution in this state, for the surer foundation, and more permanent security thereof; Declare,

1. That all government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole.

2. That the people of this state ought to have the sole and exclusive right of regulating the internal government and police thereof.

3. That